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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women
Sixtieth session

Summary record (partial)* of the 1292nd meeting
Held at the Palais des Nations, Geneva, on Thursday, 26 February 2015, at 3 p.m.

Chairperson: Ms. Hayashi

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* No summary record was prepared for the rest of the meeting.

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Fourth and fifth periodic reports of Eritrea (continued) (CEDAW/C/ERI/4 and 5; CEDAW/C/ERI/Q/5 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Eritrea took places at the Committee table.*

Articles 10 to 14 (continued)

2. **Ms. Ghebremedhin** (Eritrea) said that, as part of efforts to attract more women to the teaching profession, programmes and summer courses had been developed and teacher-training institutes had lowered their entrance requirements. Teachers who excelled at work were rewarded and encouraged to serve as role models for students.

3. **Mr. Osman** (Eritrea) said that health services were heavily subsidized by the Government and available free of charge to persons who could prove their inability to pay. The results of the 2010 Eritrea Population and Health Survey, which included statistics on health-care expenditure, would be submitted to the Committee in due course. With regard to nutrition, the Government promoted a policy of self-sufficiency and had constructed dams and implemented mechanisms to enhance food security.

4. Rape was incompatible with the extended family system that existed in Eritrea and cases of sexual violence were not common. Some reports of rape were fabricated by women seeking political asylum in Western countries.

5. **Ms. Lijam** (Eritrea) said that the many women enrolled in adult literacy programmes tended to be mothers who had been forced to forgo basic education for reasons such as early marriage. The programmes were not, however, considered alternatives to primary education, which was compulsory for all. Primary-school curricula had been translated into nine languages to enable children to learn in their mother tongue, while in secondary schools, the medium of instruction was English. Technical and vocational schools had been set up across the country and women were encouraged to enrol. Training in the use of heavy machinery was provided to both sexes.

6. On the subject of data discrepancies, she said that it was important to refer only to official government sources. In 2010, the prevalence rate of female genital mutilation had been 68 per cent, down from 89 per cent in 2003. Among children under the age of 5, the rate had been 12 per cent, indicating that progress had been made in eradicating the practice.

7. **Ms. Schulz** enquired about the trend in the number of health professionals working in Eritrea and whether health facilities were in a position to meet the needs of the population.

8. **Ms. Lijam** (Eritrea) said that she did not have exact figures to hand, but that shortfalls were likely to persist until the root causes of the brain drain had been addressed. Training medical students took time and many graduates left the country. Even so, the Government had opened several medical training facilities and was committed to producing health professionals.

9. **Mr. Osman** (Eritrea) said that most citizens who left Eritrea did so for economic reasons and that embassies had been instructed to help them work in their country of destination. The return of emigrants was facilitated through the issuance of re-entry permits.

10. **Ms. Pomeranzi** noted that most Eritrean women were employed in the rural sector, where productivity had been limited by drought and a lack of technology. Although

domestic legislation provided for equal access to landownership, patriarchal values and resistance from certain land registration authorities continued to hamper women's access to land and, by extension, financial credit. In some cases, sharia law governed inheritance rights, leaving Muslim women particularly vulnerable to economic discrimination. She said that she would be grateful if the delegation could comment on those issues and indicate whether any specific measures had been developed to address them. The delegation should also explain how women in the informal economy were taken into account in policy dialogues with cooperation partners such as the European Union and specialized agencies of the United Nations.

11. **Ms. Gbedemah** said that she wished to know about the extent of women's participation in local governance and decisions regarding the management of water and agricultural resources. The Committee had been unable to gauge progress in education and health in rural areas as the statistics provided by the State party were not disaggregated by urban and rural areas.

12. Turning to the issue of land distribution, she noted that, according to table 6 in the replies to the list of issues (CEDAW/C/ERI/Q/5/Add.1), women heads of household owned 32.2 per cent of the land covered by the survey. She wished to know whether men owned the remaining two thirds and, if so, how women could assert a legal claim to land, particularly for use as collateral. The delegation should also: indicate whether the impact of programmes to supply agricultural resources had been evaluated; explain why so few women owned commercial land despite their contribution to the rural sector; provide data on subsistence agriculture; and comment on the results of the 2014 Global Hunger Index, which placed Eritrea among the countries with an extremely alarming hunger situation.

13. Lastly, she asked whether domestic legislation provided for the participation of women in mining projects and whether women could influence decisions regarding the environmental impact of mining. The delegation should state whether a study had been conducted on the matter and, if so, what the outcome had been.

14. **Mr. Osman** (Eritrea) said that sharia law, which governed marriage, divorce and inheritance, was recognized by the Government, in keeping with the will of the people. Nevertheless, equal access to land was provided for under the Land Proclamation No. 58/1994 and committees had been set up to protect the interests of women at the village level.

15. Mining companies were under a legal obligation to conduct environmental impact assessments both prior to commencing projects and upon their completion. With regard to employment, recruitment processes were gender sensitive and mechanisms were in place to promote gender balance.

16. **Ms. Lijam** (Eritrea) said that the Government had launched a programme to resettle families from drought-stricken areas in fertile lands. The figure of 32.2 per cent from table 6 in the replies to the list of issues applied only to households headed by women. Land owned by married couples was divided equally in the event of their divorce. Land registration authorities were required to have at least one woman member and pursued a policy of granting land rights only to persons who lived locally.

17. It was a feature of national policymaking that all programmes, including projects funded through the United Nations, the European Union or other partners, must demonstrably be of benefit to women and clearly delineate their role. The data in the Global Hunger Index and in the Human Development Report of the United Nations Development Fund, had not been authenticated by the Government of Eritrea. With respect to mining, the Ministry of Land, Water and the Environment was the sole Government body authorized to monitor and follow up on environmental assessments presented by mining companies. In

addition, there was an obligation to consult with populations in areas potentially affected by mining activities.

18. **Ms. Schulz**, noting that property was distributed equally between spouses in the event of divorce and that land was registered in the name of the head of the family, asked how women were to receive their share of land if the head of the family was a man. It was not clear whether women were sufficiently represented at the local level in the committees responsible for land distribution.

19. **Ms. Pomeranzi** asked whether systems had been put in place to monitor rural development programmes in order to ensure that the views of women and men were equally represented.

20. **Ms. Gbedemah** said that she would have preferred to receive more statistical data: she wished to learn the percentage of female members on the committees; whether gender concerns were taken into account in environmental impact assessments; and what indicators were used to assess issues affecting women. It would be useful to have information on urban and rural differentials in education and health.

21. **Mr. Osman** (Eritrea) said that legislation in Eritrea had been amended to ensure that either a man or a woman could be registered as the head of a family. Land was registered to the head of the family, but each spouse maintained the right to 50 per cent ownership.

22. **Ms. Lijam** (Eritrea) acknowledged that there had been some shortcomings in the provision of data; the delegation would endeavour to provide more information on urban and rural indicators in future reports. At least one of the three posts available in land tenure committees was reserved for a woman and women could count on the backing of the National Union of Eritrean Women in land distribution matters. All property, including land, that was registered during a marriage was allocated equally to the husband and wife. Property registered to a husband or wife before marriage could be shared at their discretion.

23. **Mr. Osman** (Eritrea) asked whether the Committee could clarify its question concerning environmental impact assessments for the mining industry, as mining was still in its infancy in Eritrea and companies had only been in operation for some five or six years.

24. **Ms. Gbedemah** said that it was customary to conduct an environmental impact assessment before mining operations took place that would include gender indicators and women should be involved in the assessment process. Gender components should be built into any local agreements on services.

25. **Ms. Acar** asked whether the concept of the head of the family had been abolished in law and, if not, on what basis the title could be conferred on a man or a woman.

26. **Mr. Osman** (Eritrea) said that the law had been amended to enable either a man or a woman to become the head of the family. Currently, 47 per cent of households in Eritrea were headed by a woman.

27. **Ms. Lijam** (Eritrea) said that the amendment of the law had given equal rights to men and women, empowering women to become heads of households and to open and use their own bank accounts.

Articles 15 and 16

28. **Ms. Leinarte** said that although women had enjoyed equal rights to land and property in Eritrea since 1994, some legal gaps still existed. In some instances, sharia law governed inheritance rights, leaving Muslim women vulnerable to discrimination, since they were usually eligible to inherit only half as much property as male heirs; she asked how frequent were such cases and how the State party intended to eradicate that de facto inequality. The land and property rights of women in polygamous marriages were also

unclear. It was commendable that the minimum age for marriage had been raised to 18 for both men and women, however, it appeared that 20 per cent of girls were married by the age of 15 and 47 per cent of girls were married by the age of 18. She asked whether early marriage was considered by some families as a means for their daughters to evade national service or whether there were other explanations for that phenomenon. Lastly, she asked whether statistical data existed to show how many families were headed by a woman where the choice existed between a man and woman.

29. **Mr. Osman** (Eritrea) said that it was the policy of the Government to respect religious belief and that inheritance for Muslims fell within sharia law. However, land remained the property of the Government and its distribution was not governed by inheritance laws. On the question of early marriage, a girl as young as 15 years could be married in exceptional circumstances and where it was considered by family arbitrators to be in her best interests. The Government recognized that early marriage was a challenge that it must continue to take up. National service was not a burden for women but rather an opportunity for them to assert their equal rights.

30. **Ms. Lijam** (Eritrea) said that a mother in a single-parent family would be registered as the head of the family. In households with two parents, both the mother and the father would be registered as joint owners of any property and they would jointly run the household, participating on an equal footing in the day-to-day decisions concerning their family. She took issue with the assertion that early marriage was a means of avoiding national service; on the contrary, national service provided the opportunity for women to fulfil their obligations as citizens on an equal basis with men.

31. **Ms. Gbedemah** said that she had understood from the explanations provided that lands allocated by the Government were not inherited; she wished to know whether the bar to inheritance would stand in the case of land that had been used for commercial agricultural purposes and in which substantial financial investment had been made.

32. **Mr. Osman** (Eritrea) said that although land was Government-owned, individuals were entitled to the returns on investments made in it and any buildings put up on it could be owned and inherited. Fair compensation was paid when the Government found it necessary to reclaim property.

33. **Mr. Osman** (Eritrea) said that the meeting with the Committee had raised a number of very important questions. Her Government would share the concerns, observations and recommendations that had been put forward with the relevant government departments, civil society and other stakeholders, including the National Union of Eritrean Women.

34. **The Chairperson** said that the delegation's constructive dialogue with the Committee had provided further insight into the situation of women and girls in Eritrea and encouraged the State party to take all necessary measures to address the various recommendations of the Committee.

The discussion covered in the summary record ended at 4.20 p.m.